

### Remarks

Claims 1-61 are pending in this application. Claims 1-20, 41-50, 51, 59, and 60 stand rejected. By this paper, claims 1, 7, 11, 17, 41, 51, 59, and 60 have been amended. Claims 2, 3, 12, 13, 21-40, 42, 43, 52-58, and 61 have been canceled. Reconsideration of all pending claims herein is respectfully requested.

On October 5, 2004, the applicants elected, with traverse, to prosecute claims 1-20, 41-51, 59, and 60. Although not indicated in the present Office Action, the applicants assume that the non-elected claims were merely withdrawn from consideration, not canceled. The applicants respectfully maintain their arguments concerning the restriction requirement, which were not addressed in the present Office Action. Nevertheless, to advance the prosecution of this application, the applicants have canceled non-elected claims 21-40, 52-58, and 61.

Claims 1-3, 5-13, 15-20, 41-43, 45-51, 59 and 60 were rejected under 35 U.S.C. 103(a) as being unpatentable over Partridge, III ("Partridge") in view of Mani or Blonder. Claims 4, 14, and 44 were rejected under 35 U.S.C. 103(a) as being unpatentable over Partridge in view of Mani or Blonder and further in view of Lagoni ("Lagoni"). These rejections are respectfully traversed.

Claim 1 has been amended to include the limitations of dependent claim 3 (now canceled), as well as to recite that the request is being sent to a "particular recipient among a plurality of potential recipients at the interactive television system." Claims 1 and 3 were found by the Examiner to be in the same group of claims (*i.e.*, Group I) for purposes of the restriction requirement. The other added limitations fall within the same claim scope because to locate an unauthorized calling list specific to

a particular recipient, as in claim 3, implies that there may be more than one list specific to other recipients—a “plurality of potential recipients.” Support for these limitations is found, for example, at pages 4 and 18 of the specification.

As amended, claim 1 now recites a method for screening video communications within an interactive television system, comprising:

intercepting a video communication request sent by a caller to a particular recipient among a plurality of potential recipients at the interactive television system;

identifying the caller using information contained within the video communication request;

identifying the particular recipient using information contained within the video communication request;

locating an unauthorized caller list specific to the particular recipient;

determining whether the caller is included within the unauthorized caller list; and

rejecting the video communication request in response to the caller being included within the unauthorized caller list.

As the Examiner correctly points out, Partridge relates to screening of incoming calls on a cellular telephone. However, Partridge does not disclose or suggest “intercepting a ... request sent by a caller to a particular recipient among a plurality of potential recipients” at a single receiving device (either a cellular telephone or the claimed interactive television system). Cellular telephones are personal devices that are not typically shared by multiple individuals. A cellular telephone does not have “plurality of potential recipients” as required by claim 1.

Moreover, Partridge does not disclose or suggest “identifying the particular recipient using information contained within the ... request.” Cellular telephones are

identified by a single telephone number. There is no additional "information" identifying the "recipient" as opposed to the device. Hence, Partridge cannot distinguish, for example, between video calls sent to "Bob" or "Mary" at the same receiving device, whether it be a cellular telephone or the claimed interactive television system.

Finally, Partridge does not disclose or suggest locating an unauthorized caller list specific to the particular recipient on a shared device as opposed to a particular telephone number. Because Partridge's requests do not provide any information beyond the telephone number, there is no possibility of locating an unauthorized list that is specific to the particular recipient in a multi-recipient communication device, such as an interactive television system.

The addition of Blonder and Mani do not cure the deficiencies of Partridge. Blonder discloses that the subscriber's device may verify the caller identification number (e.g., compare it to a list of numbers of acceptable vendors) so that unwanted solicitations are screened out. Col. 4, lines 15-21. Similarly, Mani relates to using a screen list to reject certain incoming calls.

However, like Partridge, neither Blonder nor Mani discloses or suggests a communication device having multiple potential recipients. Neither reference, therefore, discloses or suggests intercepting a "request sent by a caller to a particular recipient among a plurality of potential recipients," as recited in amended claim 1.

Similarly, neither Blonder nor Mani disclose or suggest "identifying the particular recipient using information contained within the ... request." As noted above, Blonder refers to "a list of numbers of acceptable vendors." However, these

numbers relate to the callers, not the recipients, as required by claim 1. There is no teaching or suggestion of additional "information" in the request that can be used for identifying the "particular recipient" as opposed to the receiving device.

Furthermore, like Partridge, Blonder and Mani do not disclose locating an unauthorized caller list specific to the particular recipient. There is no hint or suggestion in either reference of a recipient-specific unauthorized caller list in a device having a plurality of potential recipients.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." MPEP § 2143.03. In this case, none of the cited references disclose or suggest:

- (1) intercepting a video communication request sent by a caller to a particular recipient among a plurality of potential recipients at the interactive television system;
- (2) identifying the particular recipient using information contained within the video communication request;
- (3) locating an unauthorized caller list specific to the particular recipient.

Accordingly, claim 1 is believed to be patentably distinct over the cited references, alone or in combination. Claims 11, 41, 51, 59, and 60 have been amended to include similar or identical limitations and are believed to be patentably distinct for at least the same reasons. All other claims depend directly or indirectly from one of the foregoing independent claims and are believed to be similarly allowable by virtue of that dependency.

Claim 59 has been further amended to recite "means for locating an unauthorized caller list applicable to all recipients." Furthermore, claim 59 now

recites that the video communication request will be rejected in response to the caller being identified within either unauthorized caller list (*i.e.*, either the recipient-specific list or the list applicable to all recipients). The added limitation of an "unauthorized caller list applicable to all recipients" is within the scope of the original claim 1 (and the Examiner's search), since original claim 1 recited an "unauthorized caller list" without any limitation as to whether it was specific to a particular recipient. Thus, original claim 1 could be construed as including either "recipient-specific" and/or "non-recipient-specific" lists. Support for screening based on both "recipient-specific" and "non-recipient-specific" lists is found, for example, at page 4 of the specification.

None of the cited references disclose screening of video calls based on both recipient-specific and non-recipient-specific unauthorized caller lists. Indeed, as argued above, none of the cited references even disclose recipient-specific lists alone in a communication device shared by multiple potential recipients. Having both types of lists is advantageous where, for example, parents may not wish a younger child to be contacted by particular individuals, while allowing older children to receive video calls from those individuals. On the other hand, certain individuals may be banned from accessing all family members through the shared communication device, regardless of one family member's recipient-specific list. None of the cited references provide the flexibility of claim 59 that allows multiple tiers of screening on both general and recipient-specific levels.

Accordingly, claim 59 is believed to be patentably distinct. Claim 60 has been amended to include identical limitations with respect to "authorized caller lists" as opposed to "unauthorized caller lists." The applicants respectfully submit that none of


the cited references disclose or suggest both recipient-specific and non-recipient-specific authorized caller lists as well.

In view of the foregoing, the applicants respectfully submit that all claims are in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is invited to contact the undersigned at the telephone number listed below to discuss any remaining issues.

Respectfully submitted,

Digeo, Inc.

By



Kery D. Christensen  
Registration No. 43,548

STOEL RIVES LLP  
One Utah Center Suite 1100  
201 S Main Street  
Salt Lake City, UT 84111-4904  
Telephone: (801) 328-3131  
Facsimile: (801) 578-6999